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October 19, 2004

VIA HAND DELIVERY


Hon. Pat Miller, Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

Re: *Rulemaking for the Purpose of Implementing Toll-free County-Wide
Calling Rules*
Docket No. 04-00205

Dear Chairman Miller:

In accordance with the recent *Notice of Filing Comments* issued by the Authority, BellSouth Long Distance, Inc. hereby submits its Comments regarding proposed Rule 1220-4-12.

Very truly yours,


Harris R. Anthony *by ch w/permission*

HRA/caj

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In Re: *Rulemaking for the Purpose of Implementing Toll-Free County-Wide Calling
Rules*

Docket No. 04-00205

BELLSOUTH LONG DISTANCE, INC.'S
COMMENTS ON PROPOSED AUTHORITY RULE 1220-4-12

BellSouth Long Distance, Inc. ("BellSouth Long Distance") hereby submits the following
Comments regarding Proposed Rule 1220-4-12.

I. Rule 1220-4-12-.03(1) Methodological Requirements

BellSouth proposes that this subsection be revised to read as follows:

For the purpose of complying with Tenn. Code Ann. § 65-21-114, Telecommunications Service Providers providing local service in Tennessee utilizing their own telephone number assignments are required to participate in the Tax Area Rate (TAR) database maintained by the Authority, or its designee. Prior to billing a customer toll charges in Tennessee, all Telecommunications Service Providers shall use current information from the TAR database or a functionally equivalent method to ensure that the calling customer is not billed toll charges for any telephone call that originates and terminates within the same county.

BellSouth Long Distance believes that the first part of the proposed change to the language more accurately reflects how the Tax Area Rate ("TAR") Code Database actually works, as there are no real-time "queries" to the Database. Also, some Telecommunications Service Providers, such as interexchange carriers and resellers like BellSouth Long Distance, do not use their own local telephone numbers and, therefore, their participation in the TAR Code Database is not necessary to ensure compliance with the statute.

In addition, some carriers, such as BellSouth Long Distance, have developed a methodology of complying with Tenn. Code Ann § 65-21-114 that does not make use of the TAR Code database. Instead, BellSouth Long Distance uses a functionally equivalent methodology by which it ensures that a customer in one county who calls a second customer in

the same county is not assessed any toll charge for that call. It would cost BellSouth Long Distance significant sums of money and take at least six months for it to make the systems changes that would allow it to use the TAR Code database methodology. Requiring BellSouth Long Distance, or any other carrier that has a functionally equivalent method of complying with Tenn. Code Ann. § 65-21-114, to incur such costs would be unreasonable. This is particularly true for BellSouth Long Distance, which has not received any complaints regarding its compliance with the Tennessee county-wide calling requirements.

II. Rule 1220-4-12-.04(4) Database Administration

If BellSouth Long Distance's proposed amendment in Section I of these comments, requesting that the proposed rule be amended to allow it to use a functionally equivalent method to the TAR Code database to comply with Tenn. Code Ann. § 65-21-114, is denied, BellSouth Long Distance requests that it be granted at least six months from the effective date of the new rules in order to comply with the rules. Such time will be necessary for BellSouth Long Distance to develop a new TAR Code database method of compliance in place of its current method.

Respectfully submitted,

BELLSOUTH LONG DISTANCE, INC.

By:


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